



Provincial Agricultural Land Commission - Staff Report

Application: 52048

Applicant: Ministry of Transportation & Infrastructure
Agent: Rampaul Dulay
Local Government: Regional District of Okanagan-Similkameen

Proposal: Recreational Trail Use - Osoyoos Lake to Road No. 2. To dedicate and construct a Hike and Bike Trail right of way between 6-8 meters wide, 1300 meters long. The trail right of way is located adjacent and east of Okanagan Hwy 97, north of Osoyoos Lake.

BACKGROUND INFORMATION

Total length of trail ~2 km
Existing access /hike and bike trail - 0.6 km
Proposed hike and bike trail - 1.3 km

PROPERTY INFORMATION

PID: 018-557-295
Legal Description: Lot 7 District Lot 2450S Similkameen Division Yale District KAP51250 Except Plan KAP81578

Property Area: 26.1 ha
ALR Area: 10.1 ha
Purchase Date: August 3, 2006
Location: Parallel to newly constructed Okanagan Hwy 97
Owner: Ducks Unlimited Canada

PID: 007-128-690
Legal Description: Lot 1, District Lot 2450S, Similkameen Division Yale District Plan 21993 Except Plans 42427 and KAP81090

Property Area: 1.2 ha
ALR Area: 1.2 ha
Purchase Date: May 31, 2006
Location: Parallel to newly constructed Okanagan Hwy 97
Owner:

PID: 002-037-114
Legal Description: Lot 674 District Lot 2450S Similkameen Division Yale District Plan 2066 Except Plans KAP81578

Property Area: 15.5 ha
ALR Area: 5.2 ha
Purchase Date: August 3, 2006
Location: Parallel to newly constructed Okanagan Hwy 97
Owner: Ducks Unlimited Canada

Total Land Area: 42.8 ha
Total ALR Area: 16.5 ha

LAND USE

Current Land Use:

PID: 002-037-114 - Ducks Unlimited wetland
PID: 018-557-295 - Ducks Unlimited wetland
PID: 007-128-690 - Undeveloped - Ministry road right-of-way (BCTFA)

Surrounding Land Uses:

North: Road No. 22
East: Ducks Unlimited wetland - not in the ALR
South: Osoyoos Lake / 204th Road / Willow Beach Development / Rural Agricultural properties
West: Highway #97, cultivated farm parcels (orchards) ranging between 2 and 4 ha.

PROPOSAL DETAILS

Non- Farm Use Area: 0.8 ha
Non- Farm Use Type: Transportation/Utilities: Transportation - other

Agricultural Capability:

The majority of the area under application is rated as: Prime

Source: BCL

Mapsheet: 83 E.003

PREVIOUS APPLICATIONS

Application ID: 51694

Applicant: Ministry of Transportation & Infrastructure

Proposal: To dedicate a total of 0.8 ha for road right of way in three locations to improve two intersection alignments and a pullout for a Highway #97 business. The two intersection improvements do not affect cultivated ALR land. The business loop access road will occupy 0.23 ha of cultivated land.

Decisions:

Resolution #	Decision Date	Decision Description
2631/2010	September 13, 2010	Allow 0.23 ha area for an intersection pullout.
2531/2010	June 10, 2010	Allow two intersection improvements, but refuse pullout for Highway #97 business.

Note: The Commission reconsidered and approved the business loop following an on-site inspection.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Not provided

Zoning:

Zoning Bylaw Name: Not provided

ALC STAFF COMMENTS

Staff recommends that the application be approved on the grounds the land is not used for agriculture, and has been reserved for wildlife uses. There is no adjoining cultivated land east of the highway.

ATTACHMENTS

52048_ContextMap20k.pdf
52048_AirphotoMap10k.pdf
52048 sketch plans.pdf

END OF REPORT

Prepared by: Martin Collins, January 2011